IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.1660 OF 2006

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OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

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Shri M.B. Kotak for the Appellant.
Shri S.G. Deshpande for the Respondent No.1.

CORAM : A. S. OKA, J.
DATE : AUGUST 08, 2006.

P.C.:

1. Heard Shri Kotak appearing for the Appellant. The challenge in this Appeal by the Appellant-Insurance Company is to an award made by the Motor Accident Claims Tribunal by which compensation of only Rs.5,000/- has been awarded to the original claimant with interest at the rate of 12% per annum.

2. The Appellant is the insurer of the vehicle which is involved in the accident. The perusal of the impugned judgment shows that the insured has contested the Claim Petition by filing written statement and by engaging an Advocate. There is nothing on record to show that leave to defend on the behalf of the insured was granted in favour

of the Appellant.

3. The Claim Petition is filed on account of injuries sustained by a minor whose age at the time of accident was four years. Relying upon medical certificate and evidence of a medical practitioner, compensation of only Rs.5,000/- has been granted.

4. Considering very small amount granted by the Tribunal by way of compensation in a Claim Petition of 1988, no case is made out for interference. Appeal is dismissed. No order as to costs.

JUDGE